

United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329
St. Louis, Missouri 63102

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October 06, 2022

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RE: 21-2913 Planned Parenthood MN, ND, SD, et al v. Alpha Center, et al
21-2922 Planned Parenthood MN, ND, SD, et al v. Kristi Noem, et al

Dear Counsel:

Enclosed is a copy of the dispositive order in the referenced appeals. Please note that FRAP 40 of the Federal Rules of Appellate Procedure requires any petition for rehearing to be filed within 14 days after entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. This court strictly enforces the 14 day period. **No grace period for mailing is granted** for pro-se-filed petitions. A petition for rehearing or a motion for an extension of time must be filed with the Clerk's office within the 14 day period.

Michael E. Gans
Clerk of Court

AMT

Enclosure(s)

cc: Mr. Steven H. Aden
Ms. Brigitte Amiri
Mr. H. Christopher Bartolomucci
Mr. Stephen Dolan Bell
Mr. Timothy Belz
Mr. Steven R. Blair
Ms. Annika M. Boone
Ms. Lucyanna Burke
Mr. John J. Bursch
Mr. Derek M. Cassidy

Ms. Rebecca Chan
Ms. Melissa Ann Cohen
Mr. Matthew D. Doane
Mr. Michael R. Drysdale
Ms. Catherine Glenn Foster
Ms. Katie Glenn
Ms. Natalie M. Hejran
Mr. Jack Hieb
Mr. Rory P. King
Mr. E. Scott Lloyd
Ms. Robyn Long
Mr. Francis J. Manion
Ms. Carolyn McDonnell
Ms. Molly Meegan
Ms. Cecilia Noland-Heil
Ms. Kimberly A. Parker
Mr. Zachary William Peterson
Ms. Diana O. Salgado
Ms. Jennifer Sandman
Mr. Gene C. Schaerr
Mr. Alan E. Schoenfeld
Mr. Jay Alan Sekulow
Ms. Clara Spera
Mr. Geoffrey R. Surtees
Mr. Paul Sanford Swedlund
Mr. Matthew W. Thelen
Mr. Kevin Theriot
Ms. Jennifer Thompson
Mr. Thomas J. Viggiano III
Mr. Walter Martin Weber
Ms. Danielle M. White
Mr. Joseph R. Zakhary

District Court/Agency Case Number(s): 4:11-cv-04071-KES

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

No: 21-2913

Planned Parenthood Minnesota, North Dakota, South Dakota; Sarah A. Traxler, M.D.

Plaintiffs - Appellees

v.

Kristi Noem, Governor, in her official capacity; Jason Ravnsborg, Attorney General, in his official capacity; Kimberley Malsam-Rysdon, Secretary of Health, Department of Health, in her official capacity; Philip Meyer, D.O., President, Board of Medical and Osteopathic Examiners, in his official capacity

Defendants

Alpha Center; Black Hills Crisis Pregnancy Center, doing business as Care Net Pregnancy Resource Center

Intervenor Defendants - Appellants

American Association of Pro-Life Obstetricians & Gynecologists; Christian Medical & Dental Associations; Americans United for Life; Heartbeat International

Amici on Behalf of Appellant(s)

American College of Obstetricians and Gynecologists; American Academy of Family Physicians; American Academy of Pediatrics; American College of Medical Genetics and Genomics; American College of Osteopathic Obstetricians and Gynecologists; American College of Physicians; American Gynecological and Obstetrical Society; American Medical Association; American Medical Women's Association; American Psychiatric Association; American Society for Reproductive Medicine; American Urogynecologic Society; Council of University Chairs of Obstetrics and Gynecology; North American Society for Pediatric and Adolescent Gynecology; National Association of Nurse Practitioners in Women's Health; Society for Academic Specialists in General Obstetrics and Gynecology; Society of Family Planning; Society of Gynecologic Oncology; Society for Maternal-Fetal Medicine; Society of OB/GYN Hospitalists; Society for Reproductive Endocrinology and Infertility

Amici on Behalf of Appellee(s)

Planned Parenthood Minnesota, North Dakota, South Dakota; Sarah A. Traxler, M.D.

Plaintiffs - Appellees

v.

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Amici on Behalf of Appellant(s)

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Amici on Behalf of Appellee(s)

Appeal from U.S. District Court for the District of South Dakota - Southern
(4:11-cv-04071-KES)

REVISED JUDGMENT

Before SMITH, Chief Judge, BENTON and SHEPHERD, Circuit Judges.

After review of the filings, this appeal is dismissed, and the preliminary injunction is vacated. Eighth Circuit Rule 47A(a).

Based on the record for this appeal, defendant-intervenors' request to file supplemental briefing is denied. See *Vinson v. Washington Gas Light Co.*, 321 U.S. 489, 498 (1944) (“[A]n intervenor is admitted to the proceeding as it stands, and in respect of the pending issues, but is not permitted to enlarge those issues.”).

This case set for oral argument on October 18, 2022 has been removed from the calendar.

October 06, 2022

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

/s/ Michael E. Gans