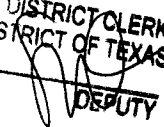


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

FEB 16 2023

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

WHOLE WOMEN'S HEALTH
ET AL.,

PLAINTIFFS,

V.

JOHN HELLERSTEDT,
COMMISSIONER OF THE
TEXAS DEPARTMENT OF
STATE HEALTH SERVICES, ET
AL.,

DEFENDANTS.

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CAUSE NO. 1:14-CV-284-LY

ORDER

Before the court in the above-referenced cause is Defendants' Amended Opposed Rule 60(B) Motion to Vacate Permanent Injunction (Doc. #319) and all related briefing. Defendants seek to vacate the court's October 11, 2016 final judgment and permanent injunction in this case (Doc. #269).

On June 24, 2022, the United States Supreme Court overruled *Roe v. Wade* and *Planned Parenthood of Southeastern Pennsylvania v. Casey*. *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228, 2284 (2022) ("The Constitution does not prohibit the citizens of each State from regulating or prohibiting abortion. *Roe* and *Casey* arrogated that authority. We now overrule those decisions") (overruling 410 U.S. 113 (1973) and 505 U.S. 833 (1992)). This court is now obligated to vacate the October 11, 2016 final judgment and permanent injunction. *See* FED. R. CIV. P. 60(b)(5); *Agostini v. Felton*, 521 U.S. 203, 215 (1997) ("A court errs when it refuses to modify an injunction" in light of "subsequent changes in either statutory or decisional law.").

IT IS THEREFORE ORDERED that Defendants' Amended Opposed Rule 60(B) Motion to Vacate Permanent Injunction (Doc. #319) is **GRANTED**.

IT IS FURTHER ORDERED that the court's October 11, 2016 final judgment and permanent injunction (Doc. #269) is **VACATED**.

SIGNED this 16th day of February, 2023.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE