

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

AUTUMN CORDELLIONÉ, also known	)	
as JONATHAN RICHARDSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:23-cv-00135-RLY-CSW
	)	
COMMISSIONER, INDIANA DEPARTMENT	)	
OF CORRECTION, in her official capacity,	)	
	)	
Defendant.	)	

**Preliminary Injunction**

The court finds that plaintiff Autumn Cordellioné has demonstrated a reasonable likelihood of success on the merits of her claim that Indiana Code § 11-10-3-3.5—which bans gender-affirming surgery for transgender inmates—is unconstitutional, both on its face and as applied to her. Specifically, Ms. Cordellioné has shown that her gender dysphoria is a serious medical need, and that, despite other treatments Defendant has provided her to treat her gender dysphoria, she requires gender-affirming surgery to prevent a risk of serious bodily and psychological harm. Thus, she has demonstrated a reasonable likelihood of success in demonstrating that denying her gender-affirming surgery violates the Eighth Amendment as it denies her necessary medical care to address a serious medical need. Additionally, she has demonstrated a reasonable likelihood of success in demonstrating that denying her gender-affirming surgery represents prohibited sex discrimination in violation of Equal Protection. The surgeries that are banned by the Indiana statute are still available to cisgender inmates who require them for serious medical needs.


The court also finds that Plaintiff has demonstrated that she is suffering irreparable harm and will continue to suffer such harm unless she is provided gender-affirming surgery. When balancing this harm against the harm Defendant would face if preliminary relief were granted,

and when the impact of preliminary relief on the public is considered, the court finds that the balance of harms favors the issuance of a preliminary injunction.

IT IS THEREFORE ORDERED that the Commissioner of the Indiana Department of Correction, in her official capacity, is hereby preliminarily enjoined to take all reasonable actions to secure plaintiff gender-affirming surgery at the earliest opportunity. Defendant shall file her status report within 30 days as to all actions taken and the timetable for surgery. No bond shall be required.

**IT IS SO ORDERED.**

**Date: September 17, 2024**

  
RICHARD L. YOUNG, JUDGE  
United States District Court  
Southern District of Indiana

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