

17-15208, West Alabama Women's Center, et al v. Thomas Miller, et al

US Circuit Court of Appeals - 11th Circuit

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Header

Case Number: 17-15208

Date Filed: 11/22/2017

Date Full Case Retrieved: 07/03/2020

Status: Closed 08/22/2018

Misc: (440) 3440: Other Civil Rights; Appeal

Participants

Litigants

WEST ALABAMA WOMEN'S CENTER, on behalf of themselves and their patients

Plaintiff - Appellee

WILLIAM J. PARKER, M.D., on behalf of himself and his patients

Plaintiff - Appellee

Attorneys

Andrew D. Beck

Plaintiff - Appellee

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Associated Cases

Case Number	Relationship	Lead Case	Member Case	Additional Information
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17-15208, West Alabama Women's Center, et al v. Thomas Miller, et al

Case Number	Relationship	Lead Case	Member Case	Additional Information
16-17296	Prior cases:			Filed: 11/29/2016 Disposed: 10/30/2017 Disposition: Dismissed

Additional Case

Additional Case Information

Private Civil - Federal Question

Appeal from: Middle District of Alabama

District: 1127 Division: 2 CaseNumber: 2:15-cv-00497-MHT-TFM DateFiled: 07/10/2015

Civil Proceeding: Myron H. Thompson , Senior U.S. District Court Judge

Secondary Judge: Terry F. Moorer , U.S. Magistrate Judge

Date NOA Filed: 11/22/2017

Proceedings

Date	#	Proceeding Text	Details
11/22/2017		CIVIL APPEAL DOCKETED. Notice of appeal filed by Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller on 11/22/2017. Fee Status: Fee Not Paid. Awaiting Appellant's Certificate of Interested Persons due on or before 12/06/2017 as to Appellant Attorney General, State of Alabama. Awaiting Appellee's Certificate of Interested Persons due on or before 12/20/2017 as to Appellee West Alabama Women's Center	
11/28/2017		APPEARANCE of Counsel Form filed by Andrew Lynn Brasher for Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head. (ECF: Andrew Brasher)	
11/28/2017		APPEARANCE of Counsel Form filed by James W. Davis for Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head. (ECF: Andrew Brasher)	
11/28/2017		Certificate of Interested Persons and Corporate Disclosure Statement filed by Attorney Andrew Lynn Brasher for Appellants Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head. On the same day the CIP is served, the party filing it must also complete the court's web-based stock ticker symbol certificate at the link here http://www.ca11.uscourts.gov/web-based-cip or on the court's website. See 11th Cir. R. 26.1-2(b). (ECF: Andrew Brasher)	
11/29/2017		APPEARANCE of Counsel Form filed by Andrew D. Beck for West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White. (ECF: Andrew Beck)	

17-15208, West Alabama Women's Center, et al v. Thomas Miller, et al

Date	#	Proceeding Text	Details
11/29/2017		APPEARANCE of Counsel Form filed by Alexa Kolbi-Molinas for West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White. (ECF: Alexa Kolbi-Molinas)	
11/29/2017		APPEARANCE of Counsel Form filed by Randall C. Marshall for West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White. (ECF: Randall Marshall)	
12/04/2017		Appellate fee was paid on 12/01/2017 as to Appellant Lyn Head.	
12/05/2017		Civil Appeal Statement filed by Attorney Andrew Lynn Brasher for Appellants Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head. (ECF: Andrew Brasher)	
12/05/2017		TRANSCRIPT INFORMATION FORM SUBMITTED by Attorney Andrew Lynn Brasher for Appellants Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head. All necessary transcript(s) are on file. (ECF: Andrew Brasher)	
12/06/2017		Briefing Notice issued to Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller. The appellant's brief is due on or before 01/02/2018. The appendix is due no later than 7 days from the filing of the appellant's brief.	
12/18/2017		MOTION for extension of time to file appellants brief to 01/23/2018 at 11:00 pm filed by Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller. Motion is Unopposed. [8327679-1] (ECF: Andrew Brasher)	
12/19/2017		ORDER: Motion for extension to file appellant brief filed by Appellants Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head is GRANTED. Appellants brief due on 01/23/2018. ENTERED FOR THE COURT - BY DIRECTION--[Edited 12/19/2017 by AGW]	
12/19/2017		Certificate of Interested Persons and Corporate Disclosure Statement filed by Attorney Andrew D. Beck for Appellees West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White. On the same day the CIP is served, the party filing it must also complete the court's web-based stock ticker symbol certificate at the link here http://www.ca11.uscourts.gov/web-based-cip	

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Date	#	Proceeding Text	Details
		or on the court's website. See 11th Cir. R. 26.1-2(b). (ECF: Andrew Beck)	
01/23/2018		Appellant's brief filed by Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller. (ECF: James Davis)	
01/24/2018		Received paper copies of EBrief filed by Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller.	
01/30/2018		APPEARANCE of Counsel Form filed by Matthew J. Clark for Foundation for Moral Law, Personhood Alabama, and Proposal 16 (ECF: Matthew Clark)	
01/30/2018		Amicus Brief as of right or by consent of the parties filed by Matthew J. Clark for Foundation for Moral Law, Personhood Alabama, and Proposal 16. (ECF: Matthew Clark)	
01/30/2018		Appendix filed [3 VOLUMES] by Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller. (ECF: Andrew Brasher)	
01/30/2018		APPEARANCE of Counsel Form filed by Mary E. McAlister for Amicic Curiae American Association of Pro-life Obstetricians and Gynecologists and American College of Pediatricians (ECF: Mary McAlister)	
01/30/2018		Amicus Brief as of right or by consent of the parties filed by Mary E. McAlister for Amici Curiae American Association of Pro-life Obstetricians and Gynecologists and the American college of Pediatricians. (ECF: Mary McAlister)	
01/30/2018		APPEARANCE of Counsel Form filed by Mathew D. Staver for Amici Curiae American Association of Pro-Life Obstetricians and Gynecologists and American College of Pediatricians (ECF: Mary McAlister)	
01/30/2018		APPEARANCE of Counsel Form filed by Anita L. Staver for Amici Curiae American Association of Pro-Life Obstetricians and Gynedologists and American College of Pediatricians (ECF: Mary McAlister)	
01/30/2018		APPEARANCE of Counsel Form filed by Horatio G. Mihet for Amici Curiae American Association of Pro-Life Obstetricians and Gynecologists and American College of Pediatricians (ECF: Mary McAlister)	
01/30/2018		Amicus Brief as of right or by consent of the parties filed by The States of LA, AZ, AR, FL, GA, ID, IN, KS, MI, MO, NE, NV, ND, OH,	

17-15208, West Alabama Women's Center, et al v. Thomas Miller, et al

Date	#	Proceeding Text	Details
		OK, SC, SD, TX, UT, WV, and WI; Paul R. LePage, Governor of ME; Governor Phil Bryant of the State of MS; and the Commonwealth of KY by and through Governor Matt Bevin. (ECF: Elizabeth Murrill)	
01/31/2018		Appearance of Counsel Form returned to Attorney Anita Leigh Staver for Not Party American Association of Pro-Life Obstetricians and Gynecologists for failure to file application for admission.	
01/31/2018		Appearance of counsel form has not been processed. According to our records, Anita Leigh Staver for American Association of Pro-Life Obstetricians and Gynecologists is not a member of the Eleventh Circuit bar. The appearance of counsel form has not been processed allowing fourteen days to complete and return the required application for admission.	
01/31/2018		Received paper copies of EAppendix filed by Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller. 3 VOLUMES - 2 COPIES	
02/01/2018		Received paper copies of EBrief filed by Amicus Curiae American Association of Pro-Life Obstetricians and Gynecologists.	
02/01/2018		Received paper copies of EBrief filed by Amicus Curiae Foundation for Moral Law.	
02/05/2018		Over the phone extension granted by clerk as to Attorney Andrew D. Beck for Appellees West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White. Appellee's Brief due on 02/22/2018; Extension Granted to 03/08/2018 as to Appellee Yashica Robinson White. Unopposed	
02/07/2018		Received paper copies of EBrief filed by Amicus Curium Attorney General, State of Florida and Attorney General, State of Georgia, et al	
03/08/2018		Appellee's Brief filed by Appellees Alabama Women's Center, William J. Parker, West Alabama Women's Center and Yashica Robinson White. (ECF: Andrew Beck)	
03/12/2018		APPEARANCE of Counsel Form filed by Genevieve E. Scott for Center for Reproductive Rights, Amicus Curiae (ECF: Genevieve Scott)	
03/12/2018		APPEARANCE of Counsel Form filed by Lisa C. Ehrlich for States of California, Connecticut, Hawaii, Iowa, Maryland, Virginia, and Washington (ECF: Lisa Ehrlich)	

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03/12/2018		Received paper copies of EBrief filed by Appellees Alabama Women's Center, William J. Parker, West Alabama Women's Center and Yashica Robinson White.	
03/15/2018		Over the phone extension granted by clerk as to Attorney Andrew Lynn Brasher for Appellants Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head. Updated Reply Brief Due on 03/22/18; Extension Granted to 04/05/2018 as to Appellant Thomas M. Miller.	
03/15/2018		APPEARANCE of Counsel Form filed by Bradley N. Garcia for Amici Curiae Biomedical Ethicists (ECF: Bradley Garcia)	
03/15/2018		Amicus Brief as of right or by consent of the parties filed by Center for Reproductive Rights. (ECF: Genevieve Scott)	
03/15/2018		Certificate of Interested Persons and Corporate Disclosure Statement filed by Attorney Genevieve Elizabeth Scott for Amicus Curiae Center for Reproductive Rights. On the same day the CIP is served, the party filing it must also complete the court's web-based stock ticker symbol certificate at the link here http://www.ca11.uscourts.gov/web-based-cip or on the court's website. See 11th Cir. R. 26.1-2(b). (ECF: Genevieve Scott)	
03/15/2018		Amicus Brief as of right or by consent of the parties filed by BIOMEDICAL ETHICISTS. (ECF: Bradley Garcia)	
03/15/2018		Certificate of Interested Persons and Corporate Disclosure Statement filed by Bradley N. Garcia for AMICI CURIAE BIOMEDICAL ETHICISTS. On the same day the CIP is served, the party filing it must also complete the court's web-based stock ticker symbol certificate at the link here http://www.ca11.uscourts.gov/web-based-cip or on the court's website. See 11th Cir. R. 26.1-2(b). (ECF: Bradley Garcia)	
03/15/2018		Supplemental Appendix [1 VOLUMES] filed by Appellees Alabama Women's Center, William J. Parker, West Alabama Women's Center and Yashica Robinson White. (ECF: Andrew Beck)	
03/15/2018		APPEARANCE of Counsel Form filed by Lisa Ehrlich for States of California, Connecticut, Delaware, Hawaii, Iowa, Illinois, Maine, Maryland, Massachusetts, New York, Oregon, Pennsylvania, Vermont, Virginia, Washington, District of Columbia Lisa C. Ehrlich for State of Washington, State of Maryland, State of California, State of Hawaii, State of Connecticut, State of	

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		Virginia and State of Iowa. (ECF: Lisa Ehrlich)	
03/15/2018		Certificate of Interested Persons and Corporate Disclosure Statement filed by Lisa Ehrlich for States of California, Connecticut, Delaware, Hawaii, Iowa, Illinois, Maine, Maryland, Massachusetts, New York, Oregon, Pennsylvania, Vermont, Virginia, Washington, District of Columbia Attorney Lisa C. Ehrlich for Amicus Curium State of Washington, State of Maryland, State of California, State of Hawaii, State of Connecticut, State of Virginia and State of Iowa. On the same day the CIP is served, the party filing it must also complete the court's web-based stock ticker symbol certificate at the link here http://www.ca11.uscourts.gov/web-based-cip or on the court's website. See 11th Cir. R. 26.1-2(b). (ECF: Lisa Ehrlich)	
03/15/2018		Amicus Brief as of right or by consent of the parties filed by Lisa C. Ehrlich for the States of Caliofrnia, Connecticut, Delaware, Hawaii, Iowa, Illinois, Maine, Maryland, Massachusetts, New York, Oregon, Pennsylvania, Vermont, Virginia, Washington, District of Columbia. (ECF: Lisa Ehrlich)	
03/15/2018		APPEARANCE of Counsel Form filed by Janice Mac Avoy for American College of Obstetricians and Gynecologists (ECF: Janice Mac Avoy)	
03/15/2018		Amicus Brief as of right or by consent of the parties filed by Janice Mac Avoy for American College of Obstetricians and Gynecologists. (ECF: Janice Mac Avoy)	
03/16/2018		Received paper copies of EBrief filed by Amicus Curiae Center for Reproductive Rights.	
03/16/2018		Received paper copies of EBrief filed by Amicus Curiae Biomedical Ethicists.	
03/19/2018		Received paper copies of EBrief filed by Amicus Curiae American College of Obstetricians and Gynecologists.	
03/19/2018		Received paper copies of EBrief filed by Amicus Curium State of California, State of Connecticut, State of Hawaii, State of Iowa, State of Maryland and State of Virginia, et al.	
03/19/2018		Received paper copies of EAppendix filed by Appellees Alabama Women's Center, William J. Parker, West Alabama Women's Center and Yashica Robinson White. 1 VOLUMES - 2 COPIES	
03/22/2018		ORDER: The Applications to Appear Pro Hac	

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		Vice submitted by Marjorie B. Truwit, Stuart M. Sarnoff, and Samantha E. Miller, seeking to represent Amici Curiae Biomedical Ethicists, are hereby GRANTED. ENTERED FOR THE COURT - BY DIRECTION..	
03/22/2018		ORDER: The Application to Appear Pro Hac Vice submitted by Jennifer B. Sokoler, seeing to represent Amici Curiae Biomedical Ethicists, is hereby GRANTED. ENTERED FOR THE COURT - BY DIRECTION.	
03/22/2018		APPEARANCE of Counsel Form filed by Stuart Sarnoff for Biomedical Ethicists. (ECF: Stuart Sarnoff)	
03/22/2018		APPEARANCE of Counsel Form filed by Jennifer B. Sokoler for Biomedical Ethicists. (ECF: Jennifer Sokoler)	
03/22/2018		APPEARANCE of Counsel Form filed by Samantha E. Miller for Biomedical Ethicists. (ECF: Samantha Miller)	
03/22/2018		APPEARANCE of Counsel Form filed by Marjorie Truwit for Biomedical Ethicists. (ECF: Marjorie Truwit)	
04/05/2018		Reply Brief filed by Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller. (ECF: James Davis)	
04/06/2018		Received paper copies of EBrief filed by Appellants Robert L. Broussard, Lyn Head and Thomas M. Miller.	
04/11/2018		APPEARANCE of Counsel Form filed by Elizabeth Murrill for State of Louisiana (ECF: Elizabeth Murrill)	
04/26/2018		The Court has determined that oral argument will be necessary in this case. Please forward 3 additional copies of the 3 volumes of Appendix, which conform to all formatting requirements, filed 1/30/18 by Attorney Andrew Lynn Brasher for Appellants Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head to the Clerk's Office, Attention: Jenifer Tubbs. Your prompt attention to this matter is appreciated.	
04/26/2018		The Court has determined that oral argument will be necessary in this case. Please forward 3 additional copies of the 1 volumes of Supplemental Appendix, which conform to all formatting requirements, filed 3/15/18 by Attorney Andrew D. Beck for Appellees West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White to the Clerk's Office, Attention: Jenifer Tubbs. Your prompt attention to this matter is appreciated.	

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Date	#	Proceeding Text	Details
04/26/2018		Calendar issued as to cases to be orally argued on 05/24/2018 in Atlanta, Georgia. Counsel are directed to electronically acknowledge receipt of this calendar by docketing the Calendar Receipt Acknowledged event in ECF. Counsel must be logged into CM/ECF in order to view the attached calendar.	
04/26/2018		Attorney Randall C. Marshall for Appellees West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White hereby acknowledges receipt of a copy of the printed calendar for 05/24/2018. Andrew Beck 212-284-7318 will present argument. (ECF: Randall Marshall)	
04/26/2018		MOTION to continue Oral Argument. filed by Alabama Women's Center, William J. Parker, West Alabama Women's Center and Yashica Robinson White. Motion is Unopposed. [8441227-1] (ECF: Andrew Beck)	
04/27/2018		Oral argument scheduled. Argument Date: Thursday, 05/24/2018 Argument Location: Atlanta.	
04/27/2018		ORDER: Motion to continue oral argument filed by Appellees West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White is DENIED. EEC	
04/30/2018		Attorney James W. Davis for Appellants Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head hereby acknowledges receipt of a copy of the printed calendar for 05/24/2018. James W. Davis (334) 353-1356 will present argument. (ECF: James Davis)	
05/01/2018		Additional (2) copies of Appendix received from Andrew D. Beck for West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White and Randall C. Marshall for West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White and forwarded to the record room.	
05/01/2018		Additional (3) copies of Appendix received from Andrew Lynn Brasher for Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head, James W. Davis for Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head and Steven Marshall for Attorney General, State of Alabama and forwarded to the record room.	
05/01/2018		Attorney Andrew D. Beck for Appellees West	

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Date	#	Proceeding Text	Details
		Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White hereby acknowledges receipt of a copy of the printed calendar for 05/24/2018. Alexa Kolbi-Molinas 212-549-2633 will present argument. (ECF: Andrew Beck)	
05/24/2018		Oral argument held. Oral Argument participants were James W. Davis for Appellants Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head and Alexa Kolbi-Molinas for Appellees West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White.	
07/26/2018		Notice to the Court of Supplemental Authority filed by Attorney Andrew D. Beck for Appellees West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White. (ECF: Andrew Beck)	
08/22/2018		Judgment entered as to Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller.	
08/22/2018		Opinion issued by court as to Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller. Decision: Affirmed. Opinion type: Published. Opinion method: Signed. The opinion is also available through the Court's Opinions page at this link http://www.ca11.uscourts.gov/opinions . (Opinion corrected on 8/28/2018.)--[Edited 08/28/2018 by JRP]	
08/30/2018		MOTION for Transfer of Motion to District Court, for attorney's fees or costs filed by Alabama Women's Center, William J. Parker, West Alabama Women's Center and Yashica Robinson White. Motion is Unopposed. [8550971-1] (ECF: Randall Marshall)	
09/05/2018		Bill of costs filed by Attorney Andrew D. Beck for Appellees West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White. (ECF: Andrew Beck)	
09/11/2018		Signed Approved Bill of costs filed by Attorney Andrew D. Beck for Appellees West Alabama Women's Center, William J. Parker, Alabama Women's Center and Yashica Robinson White.	
09/18/2018		ORDER:Appellees Unopposed Motion to Transfer Consideration of Attorneys Fees on Appeal to the District Court is GRANTED. See 11th Cir. R. 39-2(d). EEC, JFD and LJA	

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Date	#	Proceeding Text	Details
09/20/2018		Mandate issued as to Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller.	
11/09/2018		Extension for filing certiorari GRANTED by U.S. Supreme Court as to Appellant Attorney General, State of Alabama.	
12/20/2018		Notice of Writ of Certiorari filed as to Appellant Thomas M. Miller. SC# 18-837.	
05/02/2019		***RETURNED***MOTION to withdraw as counsel filed by Attorney Andrew Lynn Brasher for Appellants Attorney General, State of Alabama, Robert L. Broussard, Lyn Head and Thomas M. Miller. Opposition to Motion is Unknown [8761983-1] [17-15208]-- [Edited 05/13/2019 by RAV] (ECF: Andrew Brasher)	
05/06/2019		RETURNED UNFILED: Motion to withdraw as counsel filed by Andrew Lynn Brasher for Attorney General, State of Alabama, Robert L. Broussard, Thomas M. Miller and Lyn Head is returned unfiled because this case is closed. No further relief is available from this Court..	
06/28/2019		Writ of Certiorari filed as to Appellant Thomas M. Miller is DENIED. SC# 18-837. The court's mandate having previously issued, no further action will be taken by this court.	

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