



GEORGIA DEPARTMENT OF LAW

40 Capitol Square SW  
Atlanta, Georgia 30334-1300

CHRISTOPHER M. CARR  
ATTORNEY GENERAL

www.law.ga.gov  
(404) 656-3300

June 24, 2022

David J. Smith  
Clerk of Court  
U.S. Court of Appeals for the 11th Circuit  
56 Forsyth St., N.W.  
Atlanta, Georgia 30303

Re: Case No. 20-13024, *SisterSong, et al v. Kemp, et al.*

Dear Mr. Smith:

Pursuant to FRAP 28(j), State Defendant-Appellants advise the Court that the U.S. Supreme Court issued its opinion in *Dobbs v. Jackson Women's Health Organization*, \_\_ U.S. \_\_, 2022 WL 2276808, No. 19-1392, slip. op. (U.S. June 24, 2022). On September 27, 2021, this Court stayed this appeal "pending" the *Dobbs* decision. Now, *Dobbs* requires reversal of the district court's injunction and judgment in favor of the State Appellant- Defendants.

In *Dobbs*, the Supreme Court overruled *Roe v. Wade*, 410 U.S. 113 (1973), and *Casey v. Planned Parenthood*, 505 U.S. 833 (1992). The Court in *Dobbs* definitively held that regulation of abortion is subject to, at most, rational basis review. The Court further held that States have numerous rational bases for regulating or prohibiting abortion. *Dobbs*, slip op. at 77–78. There is, simply put, nothing left of the Plaintiff-Appellees' argument that Georgia law imposes an unconstitutional burden on the practice of abortion.

For the reasons stated in the briefs and at oral argument, Plaintiff-Appellants' remaining arguments fail. The Court should reverse.

Respectfully submitted,

/s/ Stephen J. Petrany  
Stephen J. Petrany  
*Solicitor General*  
Office of the Georgia  
Attorney General  
40 Capitol Square, SW  
Atlanta, GA 30334  
(404) 458-3408  
spetrany@law.ga.gov

*Counsel for Governor Brian Kemp; Attorney General Chris Carr;  
District Attorneys Flynn Broady Jr. and Mark Jones; DPH  
Commissioner Kathleen Toomey; and the Executive Director and  
Members of the Composite Medical Board*

## CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2022, I served this letter by electronically filing it with this Court's ECF system, which constitutes service on all attorneys who have appeared in this case and are registered to use the ECF system.

/s/ Stephen J. Petranj  
Stephen J. Petranj