

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

CAITLIN BERNARD,)	
)	
Plaintiff,)	
)	
v.)	No. 1:19-cv-01660-SEB-DML
)	
INDIVIDUAL MEMBERS OF THE)	
INDIANA MEDICAL LICENSING)	
BOARD, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER VACATING PRELIMINARY INJUNCTION

On June 28, 2019, this Court preliminarily enjoined Defendants from enforcing Ind. Code §§ 16-18-2-96.4, 16-34-2-1(c), 16-34-2-7(a), 16-34-2-9, 16-34-2-10, which prohibit “knowingly or intentionally perform[ing] a dismemberment abortion unless reasonable medical judgment dictates that performing the abortion is necessary: (1) to prevent any serious health risk to the mother; or (2) to save the mother’s life.” ECF No. 48. The Court’s order held that these provisions likely imposed an undue burden on a woman’s decision to have an abortion in violation of *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood v. Casey*, 505 U.S. 833 (1992). ECF No. 48 at 33-49.

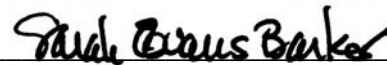
On June 24, 2022, the Supreme Court overruled *Roe* and *Casey*—the decisions underpinning this Court’s preliminary injunction. In *Dobbs v. Jackson Women’s Health Organization*, 597 U.S. ___, No. 19-1392 (June 24, 2022), the Supreme Court “h[e]ld that the Constitution does not confer a right to abortion.” Slip op. at 69. “*Roe* and *Casey*,” the Court concluded, therefore “must be overruled,” and the “authority to regulate abortion must be returned to the people and their elected representatives.” *Id.* at 5, 69, 79.

In light of *Dobbs*, Defendants have moved the Court to vacate the Preliminary Injunction, ECF No. 48. Plaintiff has filed a document representing that she does not oppose that motion.

Accordingly, in light of the Supreme Court's recent decision overruling the legal precedent established in *Roe* and *Casey* which were the linchpin holdings for our analysis and rulings, we hereby vacate the preliminary injunction entered in this case on June 28, 2019, ECF 48.

IT IS SO ORDERED.

Date: 7/7/2022



SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

To: All ECF-registered counsel of record