

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

JACKSON WOMEN’S HEALTH
ORGANIZATION, on behalf of itself and its
patients,

and

SACHEEN CARR-ELLIS, M.D., M.P.H., on
behalf of herself and her patients,

Plaintiffs,

v.

MARY CURRIER, M.D., M.P.H., in her
official capacity as State Health Officer of
the Mississippi Department of Health, et al.

Defendants.

Case No. 3:18cv171-CWR-FKB

PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT (PHASE I)

Pursuant to Federal Rule of Civil Procedure 56(a), Plaintiffs hereby move the Court to enter summary judgment on Plaintiffs’ undue burden claim against Mississippi House Bill 1510 (“the Act”), which bans abortion after 15 weeks of pregnancy except in extremely limited circumstances. H.B. 1510, 2018 Leg., Reg. Sess. (Miss. 2018). Plaintiffs respectfully request that the Court grant Plaintiffs’ Motion for Summary Judgment, declare the Act unconstitutional under the Due Process Clause of the Fourteenth Amendment, and permanently enjoin its enforcement, as applied to pre-viability abortions.

The Motion is supported by the Memorandum of Law in Support of Plaintiffs’ Motion for Summary Judgment (Phase I), the Declarations of Sacheen Carr-Ellis, M.D., M.P.H., and Martina

Badell, M.D., and Dr. Mary Currier's Responses to Plaintiffs' First Set of Requests for Admission to Defendants.

Respectfully submitted this 24th day of August, 2018.

/s/ Hillary Schneller

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CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2018, I electronically filed the foregoing Plaintiffs' Motion for Summary Judgment (Phase I) with the Clerk of the Court by using the Court's CM/ECF system, which will send a notice of electronic filing to all counsel of record.

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