



ORIGINAL

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

FILED  
SUPREME COURT  
STATE OF OKLAHOMA

TULSA WOMEN'S REPRODUCTIVE CLINIC, )  
LLC, on behalf of itself, its staff, and its patients, )

Plaintiff/Appellant, )

v. )

GENTNER DRUMMOND, in his official capacity as )  
Attorney General of Oklahoma; STEVE )  
KUNZWEILER, in his official capacity of District )  
Attorney for Tulsa County; LYLE KELSEY, in his )  
official capacity as Executive Director of the )  
Oklahoma State Board of Medical Licensure )  
and Supervision; and KEITH REED, in his official )  
capacity as Oklahoma Commissioner of Health, )

Defendants/Appellees. )

MAR 11 2024

JOHN D. HADDEN  
CLERK

No. 118,292

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**COMBS, J., with whom EDMONDSON, J., joins, concurring specially:**

I concur in the dismissal of this appeal due to the Plaintiff/Appellant's lack of "good standing" as a domestic limited liability company and without any showing the Plaintiff/Appellant is actively trying to reinstate the LLC. *See Corman v. H-30 Drilling, Inc.*, 2001 OK 92, ¶ 20, 40 P.3d 1051, 1056. **However, I write to emphasize the dismissal of this appeal is not based upon the merits of the challenge to the constitutionality of the House Bills. The constitutionality or unconstitutionality of the two bills is yet to be determined.** In *Oklahoma Call for Reproductive Justice v. Drummond*, 2023 OK 24, ¶ 9, 526 P.3d 1123, 1130, we held "the Oklahoma Constitution creates an inherent right of a pregnant woman to terminate a pregnancy when necessary to preserve her life." We defined this inherent right to mean:

[A] woman has an inherent right to choose to terminate her pregnancy if at any point in the pregnancy, the woman's physician has determined to a reasonable degree of medical certainty or probability that the continuation of the pregnancy will endanger the woman's life due to the pregnancy itself or due to a medical condition that the woman is either currently suffering from or **likely to suffer from during the pregnancy. Absolute certainty is not required, however, mere possibility or speculation is insufficient.**

*Id.* (emphasis added). The constitutionality of any regulation that impacts this inherent right, as defined by this Court, will be reviewed when procedurally before this Court.