

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 21-2913

Planned Parenthood Minnesota, North Dakota, South Dakota; Sarah A. Traxler, M.D.

Plaintiffs - Appellees

v.

Kristi Noem, Governor, in her official capacity; Jason Ravnsborg, Attorney General, in his official capacity; Kimberley Malsam-Rysdon, Secretary of Health, Department of Health, in her official capacity; Philip Meyer, D.O., President, Board of Medical and Osteopathic Examiners, in his official capacity

Defendants

Alpha Center; Black Hills Crisis Pregnancy Center, doing business as Care Net Pregnancy Resource Center

Intervenor Defendants - Appellants

American Association of Pro-Life Obstetricians & Gynecologists; Christian Medical & Dental Associations; Americans United for Life; Heartbeat International

Amici on Behalf of Appellant(s)

American College of Obstetricians and Gynecologists; American Academy of Family Physicians; American Academy of Pediatrics; American College of Medical Genetics and Genomics; American College of Osteopathic Obstetricians and Gynecologists; American College of Physicians; American Gynecological and Obstetrical Society; American Medical Association; American Medical Women's Association; American Psychiatric Association; American Society for Reproductive Medicine; American Urogynecologic Society; Council of University Chairs of Obstetrics and Gynecology; North American Society for Pediatric and Adolescent Gynecology; National Association of Nurse Practitioners in Women's Health; Society for Academic Specialists in General Obstetrics and Gynecology; Society of Family Planning; Society of Gynecologic Oncology; Society for Maternal-Fetal Medicine; Society of OB/GYN Hospitalists; Society for Reproductive Endocrinology and Infertility

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Amici on Behalf of Appellee(s)

Appeal from U.S. District Court for the District of South Dakota - Southern
(4:11-cv-04071-KES)

REVISED JUDGMENT

Before SMITH, Chief Judge, BENTON and SHEPHERD, Circuit Judges.

After review of the filings, this appeal is dismissed, and the preliminary injunction is vacated. Eighth Circuit Rule 47A(a).

Based on the record for this appeal, defendant-intervenors' request to file supplemental briefing is denied. See *Vinson v. Washington Gas Light Co.*, 321 U.S. 489, 498 (1944) (“[A]n intervenor is admitted to the proceeding as it stands, and in respect of the pending issues, but is not permitted to enlarge those issues.”).

This case set for oral argument on October 18, 2022 has been removed from the calendar.

October 06, 2022

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans