

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**

PLANNED PARENTHOOD MINNESOTA,)
NORTH DAKOTA, SOUTH DAKOTA, and)
SARAH A. TRAXLER, M.D.;)

Plaintiffs,)

v.)

CASE NO. 4:22-cv-04009-KES

KRISTI NOEM, Governor,)
JOAN ADAM, Interim Secretary of)
Health, Department of Health, and)
PHILIP MEYER, D.O., President, South)
Dakota Board of Medical and)
Osteopathic Examiners, in their official)
capacities,)

Defendants.)

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiffs, by their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), hereby voluntarily dismiss without prejudice the claims made in this action against Defendants. None of Defendants have either Answered or filed a motion for summary judgment. In light of the Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Org.*, No. 19-1392 (U.S. June 24, 2022), overruling *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood of Se. Pa. v. Casey*, 505 U.S. 833 (1992), and the State of South Dakota’s “trigger” statute, S.D.C.L. § 22-17-5.1 (making the performance of abortions a felony unless “necessary to preserve the life of the pregnant female”), Plaintiffs have ceased providing abortions in the State of South Dakota. Plaintiffs therefore dismiss the case for lack of jurisdiction.

Dated: June 29, 2022

Respectfully submitted,

/s/ Diana O. Salgado

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*Admitted *pro hac vice*

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